

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 19, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

CHARLIE JIM PETERS,

Defendant.

No. 1:20-CR-2046-SAB-1

ORDER SETTING PRETRIAL
DEADLINES AND TRIAL DATE

PLEASE TAKE NOTICE, as indicated below, the jury trial and pretrial conference in the above captioned matter have been scheduled before Chief Judge Stanley A. Bastian. **Counsel for the defense shall notify the Defendant and ensure his attendance.**

All pretrial motions, including motions *in limine* and *Daubert* motions, shall be filed and served on or before **February 10, 2021**, and noted for hearing at the pretrial conference. Any response to a pretrial motion shall be filed and served in accordance with Local Rule 7.1.

The Pretrial Conference is scheduled for March 3, 2021 at 10:30 a.m. in Yakima, Washington. Counsel shall advise the Court regarding any dispositive change in the status of this case **at least five (5) days prior to the pretrial conference.**

All pretrial conferences are scheduled to last not more than **thirty (30) minutes**, which each side allotted **fifteen (15) minutes** to present their own motions and respond to motions filed by opposing counsel. If any party anticipates requiring longer than fifteen minutes, that party must notify the Courtroom Deputy at least **seven (7) days** prior to the hearing. **Any party who fails to provide this notice will be limited to fifteen (15) minutes.**

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1 If a party files any motion that requires an evidentiary hearing and/or requires the
2 Court to act as a finder of fact, that party must notify the Courtroom Deputy at **least fourteen**
3 **(14) days** prior to the hearing. The parties will coordinate with the Courtroom Deputy to
4 schedule an evidentiary hearing that provides enough time for the parties to present
5 evidence, including witness testimony and exhibits. If the parties anticipate offering witness
6 testimony, the parties shall file with the Court a witness list, together with a brief summary
7 of the proposed testimony, at least **seven (7) days** prior to the hearing. If the parties
8 anticipate offering or referring to exhibits during the hearing, the parties shall file with the
9 Court a binder of the proposed exhibits, pre-marked for identification, at least **seven (7) days**
10 prior to the hearing. The Government's exhibits shall be numbered 1 to 100; Defendant's
11 exhibits shall be numbered 101 to 200. The parties are encouraged to file their exhibits
12 jointly, so that the Court may quickly refer to all exhibits in one place.

13 Any motion to continue the pre-trial conference or trial shall be filed at the earliest
14 practicable opportunity, but no later than **seven (7) days prior to said proceeding**. Movant
15 shall provide (1) specific and detailed reasons for the continuance to permit the Court to
16 make the necessary findings; (2) if applicable, Defendant's signed Speedy Trial waiver; (3)
17 the position of all co-Defendants and opposing counsel; and (4) the proposed new date.
18 Additionally, any motions filed after the pretrial motion deadline will be considered at the
19 pretrial conference.

20 Continuances are not granted absent good cause.

21 A defendant on pretrial release should expect to be placed into custody immediately
22 after conviction or change of plea if the provisions of 18 U.S.C. § 3143(a)(2) apply.

23 Trial briefs, proposed voir dire, jury instructions, verdict forms, exhibit lists, expert
24 witness lists, and summaries of expert testimony shall be filed and served by all parties on
25 or before **seven (7) calendar days prior to trial**. This does not modify the parties' discovery
26 obligations under Fed. R. Crim. P. 16. Absent an agreement between the parties or an Order
27 from the Court, the parties' Fed. R. Crim. P. 16 discovery deadlines shall be governed by
28 Local Criminal Rule 16.

1 Pursuant to the Due Process Protections Act, the Court reminds the United States of
2 its obligations to produce exculpatory evidence pursuant to *Brady v. Maryland*, 373 U.S. 83
3 (1963), and its progeny. Failing to do so in a timely fashion could result in consequences,
4 including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of
5 charges, and sanctions by the Court.

6 The Court utilizes JERS (Jury Evidence Recording System) to allow evidence
7 admitted for a trial to be viewed electronically via touchscreen monitor in the jury deliberation
8 room upon the conclusion of the trial. Please note that the jury will receive a verbatim copy
9 of the JERS exhibit list. Review and follow the instructions on the public website within the
10 Courtroom Support information for attorneys.

11 **The jury trial in this matter is scheduled for March 15, 2021 at the United States**
12 **Courthouse in Yakima, Washington. Counsel shall appear in court for a Final Pretrial**
13 **Conference at 8:30 a.m. on the first day of trial to address any pending pretrial matters.**
14 **Jury selection shall begin at 9:00 a.m.**

15 The District Court Executive is hereby directed to enter this Order and furnish copies
16 to counsel and the United States Probation Office.

17 **DATED** this 19th day of January 2021.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Stanley A. Bastian
Chief United States District Judge